

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL GWYN,

PLAINTIFF,

v.

Case No.: 2:07-CV-10735

THE HOME DEPOT U.S.A., INC.,
a foreign Corporation; HOME DEPOT
U.S.A., INC., a foreign corporation;
MIDWEST AIR TECHNOLOGIES, INC.,
a foreign corporation; QUAL-CRAFT
INDUSTRIES, INC., a foreign corporation;
jointly and severally,

DEFENDANTS.

ORDER OF DISMISSAL

Plaintiff filed this action on February 20, 2007, asserting subject matter jurisdiction through diversity of citizenship pursuant to 28 U.S.C. §1332.

“[F]ederal courts have an independent obligation to investigate and police the boundaries of their own jurisdiction.” *Douglas v. E.F. Baldwin & Assocs., Inc.*, 150 F.3d 604, 607 (6th Cir. 1998). Having reviewed Plaintiff’s complaint, the Court is not persuaded that Plaintiff has adequately alleged the necessary facts to establish the existence of diversity jurisdiction.

On February 22, 2007, this Court therefore issued an “Order to Show Cause” that ordered Plaintiff to show cause, in writing, on or before March 6, 2007, why this case should not be dismissed for lack of subject matter jurisdiction. To date, however, Plaintiff has failed to respond to the February 22, 2007 Order to Show Cause.

Accordingly, **IT IS ORDERED** that this action is hereby **DISMISSED WITHOUT**

PREJUDICE FOR LACK OF SUBJECT MATTER JURISDICTION.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: March 19, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 19, 2007, by electronic and/or ordinary mail.

S/Jennifer Hernandez

Case Manager